

422 Rec'd PCT/PTO 24 AUG 2000

FORM PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 10738-17
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLIC. NO. (if known, see 37 CFR 1.51) 09/623006
INTERNATIONAL APPLICATION NO. PCT/US99/06580	INTERNATIONAL FILING DATE March 25, 1999	PRIORITY DATE CLAIMED March 31, 1998	
TITLE OF INVENTION ANTIOXIDANT PEPTIDES			
APPLICANT(S) FOR DO/EO/US DAVID Y. HUI and PATRICK TSO			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1.	<input checked="" type="checkbox"/>	This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.	
2.	<input type="checkbox"/>	This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.	
3.	<input type="checkbox"/>	This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).	
4.	<input checked="" type="checkbox"/>	A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.	
	<input type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)	
	<input type="checkbox"/>	A translation of the International Application into English (35 U.S.C. 371(c)(2)).	
	<input type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendment has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.	
	<input type="checkbox"/>	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).	
	<input checked="" type="checkbox"/>	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).	
	<input type="checkbox"/>	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).	
Items 11. to 16. below concern other document(s) or information included:			
11.	<input checked="" type="checkbox"/>	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.	
12.	<input checked="" type="checkbox"/>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.	
13.	<input checked="" type="checkbox"/>	A FIRST preliminary amendment.	
	<input type="checkbox"/>	A SECOND or SUBSEQUENT preliminary amendment.	
14.	<input type="checkbox"/>	A substitute specification.	
15.	<input type="checkbox"/>	A change of power of attorney and/or address letter.	
16.	<input checked="" type="checkbox"/>	Other items or information. Small Entity State, Return Receipt Postcard (MPEP 503), Copy of Notice Informing Applicant of the Communication of the International Application to the Designated Offices, Assignment Cover Sheet	

CERTIFICATE OF EXPRESS MAILING

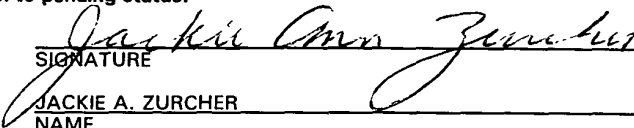
"Express Mail" mailing label #: EL378854800US

Date of Deposit: **8/28/00**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box PCT; Assistant Commissioner for Patents; Washington, DC 20231.

Catherine L. Vign

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U.S. APPLIC. NO. (if known, see 37 CFR 1.50) 09/623006		INTERNATIONAL APPLICATION NO. PCT/US99/06580		A7 10 EY'S DOCKET NUMBER 7	
				CALCULATIONS	PTO USE ONLY
17. The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): <input type="checkbox"/> Search Report has been prepared by the EPO or JPO \$840.00 <input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00 <input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00 <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 670.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	62 -20 =	42	42 x \$18.00	\$756.00	
Independent Claims	5 -3 =	2	2 x \$78.00	\$156.00	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1582.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$791.00	
SUBTOTAL =				\$ 791.00	
Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$40.00	
TOTAL FEES ENCLOSED =				\$ 831.00	
				Amount to be: refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$831.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1133.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
DINSMORE & SHOHL 1900 Chemed Center 255 East Fifth Street Cincinnati, Ohio 45202 (513) 977-8200		 SIGNATURE			
		JACKIE A. ZURCHER NAME			
		42,251 REGISTRATION NUMBER			
		August 24, 2000 DATE			

Applicants:	David Y. Hui and Patrick Tso	Attorney Docket No.	
Serial No.:	To be Assigned		10738-017
Filed:	Concurrent with Application		
For:	ANTIOXIDANT PEPTIDES		

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am

- ☐ the owner of the nonprofit organization identified below:
☒ an official of the nonprofit organization empowered to act on behalf of the
concern identified below:

NAME OF NONPROFIT ORGANIZATION:

University of Cincinnati
G-7

ADDRESS OF NONPROFIT ORGANIZATION:

Room G13 - Wherry Hall, Mail
Location 0829, Cincinnati, Ohio
45267

TYPE OF NONPROFIT ORGANIZATION:

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501 (c)(3))
☐ Nonprofit scientific or education under Statute of State of the United States of
America
(Name of State _____)
(Citation of Statute _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. 501(a)
and 501(c)(3)) if located in the United States of America
☐ Would qualify as nonprofit scientific or educational under Statute of State of the
United States of America if located in the United States of America
(Name of State _____)
(Citation of Statute _____)

I hereby declare that the above-identified nonprofit organization qualifies as *nonprofit organization* as defined in 37 CFR 1.9(e), for purposes of paying reduced fees under section 41(a) and (b) of Title 35 of the United States Code.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above with regard to the invention entitled **ANTIOXIDANT PEPTIDES** by inventors David Y. Hui and Patrick Tso described in

- ☒ the specification filed herewith
☐ application Serial No. _____, filed _____

If the rights held by the above identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention

are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Norman M. Pollack

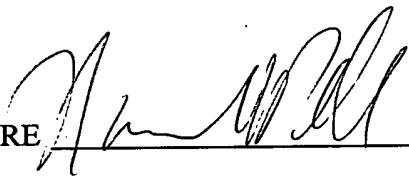
TITLE OF PERSON OTHER THAN OWNER:

Director of Intellectual Property &
University Patent Officer

ADDRESS OF PERSON SIGNING:

University of Cincinnati
Room G13 - Wherry Hall
Mail Location 0829
Cincinnati, OH 45267

SIGNATURE



DATE

March 8, 1999

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